

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

AMERICAN ASSOCIATION OF
UNIVERSITIES, *et al.*

Plaintiffs,

v.

NATIONAL SCIENCE FOUNDATION, *et al.*,

Defendants.

No. 1:25-cv-11231-IT

DECLARATION OF JASON BOSSIE

Pursuant to 28 U.S.C. § 1746, I, Jason Bossie, declare as follows:

1. I am employed as Deputy Office Head in the Office of Budget, Finance, and Award Management, National Science Foundation (NSF).
2. I have held this position since November 2022.
3. In my current position, I am responsible for leadership and oversight of NSF's operations in financial management, budget, and grants management.
4. On May 2, 2025, NSF issued NSF Policy Notice 25-034, *Implementation of Standard 15% Indirect Cost Rate*, with a May 5, 2025, effective date.
5. In a Notice to the District Court of the District of Massachusetts, filed on May 16, 2025, NSF agreed to stay implementation of NSF Policy Notice 25-034, through June 13, 2025.
6. Subsequently, in a May 27, 2025, filing [Doc. No. 62 at 51 n. 30], NSF agreed to continue the voluntary stay of implementation for an additional seven days after the June 13

hearing while the Court considers summary judgment.

7. On June 17, 2025, the District Court for the District of Massachusetts ordered that NSF provide written notice of the continued stay by June 18, 2025, to all institutions that have pending funding applications that may be affected by the Policy Notice, and promptly notify the Court after having done so.

8. On June 18, 2025, NSF posted a revised alert on Research.gov, NSF's proposal preparation and submission portal used by all organizations for submitting proposals, management of post-award activities, and agency communications. The revised alert, in a red banner at the top of the page with a red exclamation point, states: "***NEW UPDATE: IMPLEMENTATION PAUSED** . . .". A "See New Details" link in that banner takes the user to <https://www.nsf.gov/policies/document/indirect-cost-rate>, the page containing Policy Notice NSF 25-034. NSF put a yellow banner at the top of the notice with a black exclamation point that states: "NSF is temporarily pausing implementation of the NSF Policy Notice: Implementation of Standard 15% Indirect Cost Rate, NSF 25-034, until the District Court for the District of Massachusetts issues a decision, in accordance with a voluntary stay filed in the United States District Court for the District of Massachusetts. New NSF awards issued during this pause will not implement NSF 25-034, but will include a term applying NSF 25-034 for the entirety of the award upon a court decision permitting application of the policy."


9. In addition, NSF updated its Policy Office, <https://www.nsf.gov/bfa/dias/policy>, and Indirect Cost Rate Policies, <https://www.nsf.gov/funding/proposal-budget/indirect-costs>, web pages to communicate guidance on delayed implementation of the standard 15% IDC rate limit policy for Institutes of Higher Education (IHEs).

10. On June 18, 2025, NSF initiated email communications to the NSF external community

to provide individualized written notice of the continued stay. Given the significant amount of time required to operationalize mass email communications of this nature, NSF prioritized individualized email notification to: all organizations with pending proposals received to date; and the official email addresses of all organizations with an active award. Thereafter, NSF will further notify: all organizations that submitted a proposal to the NSF within the past seven (7) years; all Principal Investigators and co-Principal Investigators on active awards; and all users with financial certifier permissions activated. The email notification announces the extension of NSF's previously-issued temporary pause in implementation of NSF Policy Notice:

Implementation of Standard 15% Indirect Cost Rate, until the District Court for the District of Massachusetts issues a decision, in accordance with a voluntary stay filed in the United States District Court for the District of Massachusetts.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 18th day of June, 2025.

**JASON R
BOSSIE**  Digitally signed by
JASON R BOSSIE
Date: 2025.06.18
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JASON BOSSIE
Deputy Office Head
Office of Budget, Finance, and
Award Management
National Science Foundation